

REMARKS

This response is directed to the final Office Action mailed February 6, 2008 setting a three month shortened statutory period for response expiring on May 6, 2008. As substantive claim amendments have been made, a Request for Continued Examination under 37 CFR §1.114 accompanies this amendment. Claim 55 is canceled without prejudice and Claims 30, 46, 53, and 54 have been amended. Thus, Claims 30-54 and 56-57 are now pending in this application. Prompt examination is requested.

Claim Rejection - 35 USC §112

The final Office Action issued by the Examiner on February 6, 2008 (the "Office Action") has been carefully considered. In the Office Action, the Examiner rejected claim 55 as failing to comply with the written description requirement under 35 U.S.C. 112. Claim 55 has been canceled, rendering further discussion of this rejection moot.

Claim Rejections - 35 USC §102 and §103

Claims 46, 49-55 and 57 stand rejected as anticipated by Utsumi et al (USPN 5,729,281). Claims 30-35, 38, 39, and 41-44 stand rejected as obvious over Utsumi et al. (USPN 5,729,281) ("Utsumi") in view of Mao, W. (USPN 9,728,965) ("Mao"). Applicants have amended independent claims 30, 46 and 53 so as to patentably distinguish over this combination of references. In particular, each of these claims now recites a customer management system that is operable to track channel usage and facilitates customer requests for interactive mode operation to the headend as well as relay channel requests for non-local channels to the head end.

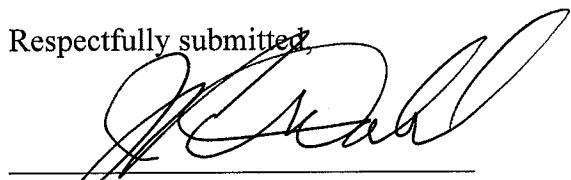
Utsumi discloses a controlling portion 17 (Fig. 3) wherein "[t]he controlling portion 17 controls the connection between inputs and outputs in the selecting portion 12 such that the signals on the channels which subscribers respectively request to receive can be transmitted to the subscriber's devices 71₁ to 71_N." (Utsumi, column 7 line 65 to column 8 line 2). Utsumi also discloses an up-transmission line 21 wherein "[w]hen the center station 5 receives the up-signal from the subscriber's transmitting device 30₁, it demodulates the up-signal, and transmits its demodulation information to the selective distribution station 10₄ as a part of down signals 6."

(Utsumi, column 14 lines 13-17). However, neither Utsumi nor Mao disclose or suggest utilization of a customer management system as now recited in amended independent claims 30, 46, and 53. Dependent claims 31-45, 47-52, 54-57 depend, directly or indirectly, from Applicant's independent claims 30, 46, and 53 and are therefore also believed allowable for at least the reasons discussed above.

Applicant believes that the Examiner's arguments discussed above are moot in light of the above claim amendments. This Amendment is believed to be responsive to all points raised in the Office Action. Accordingly, reconsideration of the application and allowance thereof is courteously solicited. Authorization is hereby given to charge the Request for Continued Examination fee of \$810 required by 37 CFR 1.17(i) and any additional fees or credit overpayment to Deposit Account Number 50-2638. Please Reference Attorney Docket Number 078700-080302 when charging any payments or credits in connection with this application. Should there remain any issues to be resolved, the examiner is encourage to contact the undersigned attorney by telephone at (303) 685-7460 in order to resolve such concerns expeditiously.

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Respectfully submitted,



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